

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

January 20, 2009

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

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**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 23, 2009**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Corder, Heinrich, Jorgenson, and Siddoway, absent and formally excused by the Chair; and Senators Cameron and Stegner, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Jaimie Schaneman, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stegner was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourth Order of Business.

### Reading of Communications

The following Special Committees were appointed by the President Pro Tempore:

Hospitality Chair	Senator Smyser
Lincoln Day	Senators Smyser and Winder
Senate Memorial	Senators Mortimer and Brackett
Photography	Senators Heinrich and LeFavour

Mr. President, Mr. President Pro Tem, and distinguished members of the Idaho Senate:

It is an honor to report to you on the state of the Idaho judiciary. I wish that I could be speaking to you in person this year, but I recently completed my last chemotherapy treatment followed by an infusion of stem cells to regrow bone marrow that was destroyed by the chemotherapy. Because of my compromised immune system, at this point in my recovery I would have had to speak while wearing a HEPA filter mask, which is not very conducive to public speaking.

Last year I reported that a task force, which was chaired by Dean Burnett from the University of Idaho College of Law and which included the Hon. Denton Darrington and the Hon. Jim Clark, had recommended adding one more judge to the Idaho Court of Appeals to help with its increasing caseload. I thank you for enacting legislation and providing appropriations to do so. The Governor has appointed David Gratton to fill that position. The space on the ground floor of the Supreme Court building that formerly housed the state law library has also been remodeled to provide chambers for the Court of Appeals.

In addition to their regular caseloads, Idaho judges continue to devote countless hours presiding over problem-solving courts, including adult felony and juvenile drug courts, DUI courts, and adult and juvenile mental health courts. Their efforts are producing positive results. Idaho has 54 problem-solving courts that supervised 1,983 offenders in 2008, an increase of 9% from the prior year. A recent statewide evaluation of adult drug courts showed significant reductions in recidivism for participating offenders compared to a matched comparison group who received traditional management of probation. A study of four well-established DUI courts also showed a significant reduction in recidivism.

Idaho now has four Child Protection Drug Courts, which handle child abuse and neglect cases in which the abuse or neglect is related to the parents substance abuse. Parental substance abuse is the main underlying cause of proceedings by the Department of Health and Welfare to terminate parental rights in Idaho. A national study of similar courts elsewhere has shown that when parents participated in such a court, their children spent less time in out-of-home placement and, when returned to parental custody, were less likely to be abused and removed again. We can expect similar results in Idaho. Two of Idahos Child Protection Drug Courts are part of a national initiative by the Administration for Children and Families and will be extensively evaluated through Idaho State University over the next four years.

Proceedings to terminate parental rights are handled in magistrate court. It can take two to three years to go through the normal process of appealing the magistrates decision to the district court and then to the Supreme Court. During that period, the status of the child is in limbo. We have a task force that will shortly be suggesting procedural changes so that a case involving the termination of parental rights will be heard by the Supreme Court within about four months after the magistrate judges decision.

We now have seven domestic violence courts in Idaho, in which defendants are forced into treatment and held accountable through enhanced judicial monitoring, including

regular face-to-face meetings with the judge. These courts also have a case coordinator who maintains regular contact with the victims, assisting them and their children in accessing needed services. An assessment of domestic violence courts in eastern Idaho has shown that a domestic violence court can significantly reduce violations of no contact orders and civil protection orders by offenders in that court. Legislation will be introduced this session to strengthen domestic violence courts statewide.

The coordinator of the Ada County domestic violence court worked with probation to create a risk assessment tool for regularly assessing the risks that offenders may pose to victims and their children. That information is then used to adjust probation recommendations to ensure offender accountability, to promote victim safety, and to refer victims to necessary available resources. We know of no other court that utilizes this type of ongoing risk assessment.

Because of the emotions involved, some of the more challenging court cases are domestic relations actions involving minor children. Judges throughout the state participate in parent education classes during which they introduce families to the court process and explain the variety of tools available to assist them in resolving child custody issues. In a statewide exit survey, parents who attended such classes gave the judges high marks, stating that the information was helpful and that it was reassuring to know they were being served as individuals. Over ninety percent of those parents said they would make a stronger effort to reduce parental conflict for the sake of their children's long-term best interests.

We are seeing increasing numbers of litigants in domestic relations cases who are not represented by attorneys. In Canyon, Ada, and Valley counties, parents who cannot afford attorneys are given the opportunity to work with professional mediators to arrive at an agreement on a workable parenting plan that is in the children's best interests. A recent evaluation of such cases in Ada County showed that parents utilizing such mediators have longer term resolutions and return to court less often than parents in litigated cases.

In 1999, we began opening court assistance offices where litigants who did not have attorneys could obtain forms for various civil actions and legal advice in filling out the forms if the office was staffed by an attorney. There are now court assistance offices in most Idaho counties, and last year over 38,000 people took advantage of that help.

In partnership with Idaho Legal Aid Services, in 2005 we began making forms for various civil cases available on the internet, which are maintained on a server provided by a third party at no charge. We have increased the number of forms available, and some of the more complex types of cases, such as domestic relations cases involving minor children, have forms created through an online interactive interview to make it easier for the pro se litigants. Five of the interactive interviews are also in Spanish. These online forms have been used by litigants in all forty-four Idaho counties. Of all states, Idaho has the third highest number of forms available online for pro se litigants. Of course, online forms cannot replace an attorney, but they provide

an essential resource for the many citizens who cannot afford counsel to represent them.

We have also taken action to decrease the time it takes to appeal cases. Although the overwhelming majority of court reporters prepare transcripts of testimony timely, there were a few who were habitually late in doing so. As a result, some appeals were delayed a year or more while waiting for the transcript to be prepared. We have instituted time limits for the preparation of transcripts and consequences, including suspension without pay, for failing to meet those deadlines.

Last year we began providing online access to a data repository through which anyone can check the register of actions of cases in the trial courts of every county in the state. The register of actions is a case history containing a chronological list of all documents filed in the case and all hearings and trials. There are about 60,000 hits per day on the repository. When testing it, I discovered that in 1997 a criminal defendant had filed an action seeking to have me removed from office. Fortunately, the case was dismissed.

It does not appear that the recent economic downturn will result in a decrease in cases filed in our courts. When the last seven months of this year are compared to the last seven months of last year, there has been about a three to four percent increase in cases filed in the district courts and magistrate courts. Some types of cases have increased dramatically, with civil filings in the district courts increasing almost eighteen percent and felony DUIs increasing thirty four percent.

We have been able to provide adequate judicial resources only by the use of senior judges. Paying retired judges at a daily rate to preside over cases costs taxpayers less than increasing the number of judges in those parts of the state where the population has increased significantly faster than judicial positions.

The recent economic downturn will certainly present challenges for the judiciary. For years we have endeavored to keep the judicial budget for operating expenses and administrative personnel at the lowest level possible to provide the resources and services necessary for the judiciary to provide equal access to justice, the expeditious resolution of cases, and the training and support necessary for judges to utilize innovative techniques to address some of the most difficult problems in our society. We look forward to working with the legislature to find ways to insure that the citizens of Idaho can continue to have trust and confidence in their judiciary.

Respectfully submitted,  
/s/ Daniel T. Eismann  
Chief Justice of the Idaho Supreme

On request by Senator Davis, granted by unanimous consent, the State of the Judiciary Address was ordered spread upon the pages of the Senate Journal.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 23, 2009

The JUDICIARY AND RULES Committee reports that [S 1016](#), [S 1017](#), [S 1018](#), [S 1019](#), [S 1020](#), [S 1021](#), [S 1022](#), and [SCR 101](#) have been correctly printed.

DARRINGTON, Chairman

[SCR 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Desk for one legislative day.

[S 1016](#) was referred to the Finance Committee.

[S 1017](#), [S 1018](#), and [S 1019](#) were referred to the Education Committee.

[S 1020](#) and [S 1022](#) were referred to the Resources and Environment Committee.

[S 1021](#) was referred to the Agricultural Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

January 23, 2009

Dear Mr. President:

I transmit herewith [HCR 6](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 6](#) was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### **S 1023** **BY BOCK** AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-130, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION ESTABLISH A SYSTEM TO OBTAIN A CRIMINAL HISTORY CHECK ON ALL INDIVIDUALS WHO HAVE UNSUPERVISED CONTACT WITH STUDENTS IN A PREKINDERGARTEN THROUGH TWELVE SETTING; AMENDING SECTION 33-201, IDAHO CODE, TO REVISE A DEFINITION, TO PROVIDE WHEN AGE FOUR YEARS IS DEEMED ATTAINED AND TO PROVIDE CLARIFYING LANGUAGE; AMENDING SECTION 33-208, IDAHO CODE, TO PROVIDE THAT IT IS NOT COMPULSORY FOR INDIVIDUAL SCHOOL DISTRICTS TO ESTABLISH

PREKINDERGARTEN PROGRAMS AND THAT IT IS NOT MANDATORY FOR A CHILD TO ENROLL IN PUBLIC PREKINDERGARTEN; AMENDING SECTION 33-302, IDAHO CODE, TO PERMIT ELEMENTARY AND ALL OTHER SCHOOL DISTRICTS TO GIVE INSTRUCTION IN PREKINDERGARTEN; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE THE BOARD OF TRUSTEES OF EACH SCHOOL DISTRICT THE AUTHORITY TO PROVIDE CLASSES IN PREKINDERGARTEN, TO PROVIDE THAT, SUBJECT TO AN EXCEPTION, NO APPROPRIATION BY THE STATE OF IDAHO BE DIRECTED TO THE PROVISION OF PREKINDERGARTEN SERVICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1207A, IDAHO CODE, TO REMOVE A DATE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION IS RESPONSIBLE FOR THE DEVELOPMENT OF A SINGLE PRESERVICE ASSESSMENT MEASURE FOR PREKINDERGARTEN PREPARATION PROGRAMS, TO PROVIDE THAT PREKINDERGARTEN TEACHER CANDIDATES FROM AN IDAHO TEACHER PREPARATION PROGRAM PASS THE ASSESSMENT, TO PROVIDE THAT EACH TEACHER EMPLOYED IN A CLASSROOM FOR PREKINDERGARTEN AND EACH SCHOOL ADMINISTRATOR OF A SCHOOL THAT INCLUDES PREKINDERGARTEN COMPLETE SPECIFIED COURSEWORK IN ORDER TO RECERTIFY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1225, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-1302, IDAHO CODE, TO REVISE A LEGISLATIVE FINDING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1303, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-1613, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-8003, IDAHO CODE, TO INCLUDE PREKINDERGARTEN WITHIN THE UNIFORM PUBLIC SCHOOL BUILDING SAFETY ACT.

#### **S 1024** **BY BOCK** AN ACT

RELATING TO FIREARMS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3316A, IDAHO CODE, TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THE STATE MAY REGULATE THE POSSESSION OF FIREARMS AT CERTAIN PUBLIC MEETINGS AND TO PROVIDE THAT CERTAIN POLITICAL SUBDIVISIONS OF THIS STATE MAY REGULATE THE POSSESSION OF FIREARMS WITHIN AND ON THE PROPERTY OF PUBLIC LIBRARIES.

#### **S 1025** **BY BOCK** AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 2, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-212, IDAHO CODE, TO PROVIDE A DEFINITION, TO PROVIDE FOR WRITTEN PARENTAL REQUEST FOR CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, TO PROVIDE THAT THE SCHOOL MAY RECOMMEND TO THE PARENT APPROPRIATE CLASSROOM PLACEMENT FOR MULTIPLE BIRTH SIBLINGS AND PROVIDE

PROFESSIONAL EDUCATIONAL ADVICE RELATING TO THE CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, TO PROVIDE THAT, WITH CERTAIN EXCEPTIONS, THE SCHOOL SHALL PROVIDE MULTIPLE BIRTH SIBLINGS WITH THE CLASSROOM PLACEMENT REQUESTED BY THE PARENT, TO PROVIDE THAT A PARENT MAY APPEAL THE PRINCIPAL'S CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, AND TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN RIGHTS OR OBLIGATIONS PROVIDED FOR IN LAW OR THE RIGHT OF A SCHOOL DISTRICT, PRINCIPAL OR TEACHER TO REMOVE A STUDENT FROM A CLASSROOM PURSUANT TO CERTAIN DISCIPLINARY POLICIES.

**S 1026**

**BY KELLY, WERK, BOCK, LEFAVOUR, BILYEU,  
SAGNESS, THORSON**  
AN ACT

RELATING TO COMPREHENSIVE CAMPAIGN FINANCE REFORM; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 34, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE AN ALTERNATIVE CAMPAIGN FINANCING OPTION, TO CREATE THE IDAHO FAIR ELECTIONS ACT TRUST FUND AND SPECIFY SOURCES OF FUNDING, TO SPECIFY THE TERMS OF PARTICIPATION IN THE IDAHO FAIR ELECTIONS ACT CANDIDATE PROCESS, TO GOVERN THE ADMINISTRATION OF THE IDAHO FAIR ELECTIONS ACT, TO PROVIDE VIOLATIONS AND TO REQUIRE A STUDY REPORT TO THE LEGISLATURE; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201H, IDAHO CODE, TO PROVIDE AN ADDITIONAL PENALTY ON ANY CIVIL PENALTY FOR PURPOSES OF THE IDAHO FAIR ELECTIONS ACT TRUST FUND; AMENDING SECTION 67-6607, IDAHO CODE, TO CHANGE THE ALLOWABLE CONTRIBUTION TO CANDIDATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6625, IDAHO CODE, TO INCREASE FINES FOR VIOLATION OF CAMPAIGN CONTRIBUTION REPORTING PROVISIONS, TO DEDICATE RECEIPTS TO THE IDAHO FAIR ELECTIONS ACT TRUST FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6625A, IDAHO CODE, TO INCREASE THE FINE FOR LATE FILING OF REPORTS, TO DEDICATE RECEIPTS TO THE IDAHO FAIR ELECTIONS ACT TRUST FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 84, TITLE 67, IDAHO CODE, TO CREATE THE COMMISSION ON FAIR ELECTION PRACTICES, TO DEFINE TERMS, TO PROVIDE THE POWERS AND DUTIES OF THE COMMISSION ON FAIR ELECTION PRACTICES AND TO PROVIDE THE SOURCE OF FUNDING FOR THE COMMISSION; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE, REFERENCING EFFECTIVE DATES INCORPORATED IN SECTIONS OF LAW AND PROVIDING A SUNSET DATE.

**S 1027**

**BY WERK, KELLY, BOCK, LEFAVOUR, BILYEU,  
SAGNESS, THORSON**  
AN ACT

RELATING TO ENERGY FACILITY SITING; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF

A NEW CHAPTER 18, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE PURPOSE AND FINDINGS, TO DEFINE TERMS, TO REQUIRE A SITING CERTIFICATE IN CERTAIN CIRCUMSTANCES, TO CREATE A SITING PANEL, TO PROVIDE AUTHORITY AND RESPONSIBILITIES OF THE PANEL, TO PROVIDE FOR AN APPLICATION FOR A SITING CERTIFICATE, TO PROVIDE DUTIES OF AN APPLICANT UPON SUBMITTAL OF AN APPLICATION AND TO PROVIDE DUTIES OF THE PUBLIC UTILITIES COMMISSION UPON RECEIPT OF AN APPLICATION; AND DECLARING AN EMERGENCY.

**S 1028**

**BY KELLY, WERK, BOCK, LEFAVOUR, BILYEU,  
SAGNESS, THORSON**  
AN ACT

RELATING TO CAMPAIGN FINANCE; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6607A, IDAHO CODE, TO PROHIBIT ACCEPTING CERTAIN CAMPAIGN CONTRIBUTIONS, TO PROVIDE EXCEPTIONS AND TO PROVIDE PENALTIES; AND DECLARING AN EMERGENCY.

**S 1029**

**BY WERK, SAGNESS THORSON, KELLY, LEFAVOUR,  
BOCK, BILYEU**  
AN ACT

RELATING TO EXPIRATION OF INCOME TAX CREDITS OR DEDUCTIONS OR SALES TAX EXEMPTIONS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3089, IDAHO CODE, TO PROVIDE FOR EXPIRATION OF INCOME TAX DEDUCTIONS OR CREDITS UNLESS EXTENDED BY STATUTE AND TO PROVIDE FOR EXPIRATION OF EXTENDED OR NEWLY ENACTED DEDUCTIONS OR CREDITS; AND AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3642, IDAHO CODE, TO PROVIDE FOR EXPIRATION OF SALES AND USE TAX EXEMPTIONS UNLESS EXTENDED BY STATUTE AND TO PROVIDE FOR EXPIRATION OF EXTENDED OR NEWLY ENACTED EXEMPTIONS.

**S 1030**

**BY BOCK, WERK, THORSON**  
AN ACT

RELATING TO MOTOR VEHICLES AND CELLULAR TELEPHONES; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1431, IDAHO CODE, TO PROHIBIT THE USE OF A CELLULAR TELEPHONE WHILE OPERATING A MOTOR VEHICLE, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE THAT THE SEIZURE OR FORFEITURE OF A CELLULAR TELEPHONE IS NOT AUTHORIZED UNLESS OTHERWISE PROVIDED FOR IN LAW AND TO PROVIDE A PENALTY.

**S 1031**

**BY BOCK, WERK, THORSON**  
AN ACT

RELATING TO MOTOR VEHICLES AND WIRELESS COMMUNICATIONS DEVICES; AMENDING SECTION

49-106, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-124, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1432, IDAHO CODE, TO PROHIBIT THE USE OF A WIRELESS COMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO PROVIDE EXCEPTIONS, TO PROVIDE THAT THE SEIZURE OR FORFEITURE OF A WIRELESS COMMUNICATIONS DEVICE IS NOT AUTHORIZED UNLESS OTHERWISE PROVIDED FOR IN LAW AND TO PROVIDE A PENALTY.

**S 1032**  
**BY HAMMOND**  
AN ACT

RELATING TO THE MOBILE HOME PARK LANDLORD-TENANT ACT; AMENDING SECTION 55-2003, IDAHO CODE, TO REVISE A DEFINITION.

**S 1033**  
**BY SCHROEDER**  
AN ACT

RELATING TO INSTITUTIONS OF HIGHER EDUCATION; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-3727 THROUGH 33-3732, IDAHO CODE, TO PROVIDE FOR NEGOTIATION AGREEMENTS; TO DEFINE TERMS; TO PROVIDE FOR BARGAINING UNITS AND NEGOTIATIONS; TO PROVIDE FOR THE APPOINTMENT OF MEDIATORS AND FOR COMPENSATION; TO PROVIDE FOR THE APPOINTMENT OF FACT-FINDERS AND FOR A REPORT; AND TO PROVIDE FOR RESERVED POWERS, DUTIES AND RESPONSIBILITIES.

**S 1034**  
**BY SCHROEDER**  
AN ACT

RELATING TO MANDATORY MINIMUM SENTENCING; AMENDING SECTION 18-1508, IDAHO CODE, TO PROVIDE AN EXCEPTION RELATING TO THE TERM OF IMPRISONMENT FOR CERTAIN SEX OFFENDERS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 19-2520G, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SENTENCING OF CERTAIN SEX OFFENDERS AND TO PROVIDE MANDATORY MINIMUM SENTENCING FOR CERTAIN OFFENDERS.

**S 1035**  
**BY SCHROEDER**  
AN ACT

RELATING TO FISH AND GAME; AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-125, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF FISH AND GAME TO IMPOSE AND COLLECT CERTAIN FEES FOR SERVICES AND TO PROVIDE FOR THE DEPOSIT OF MONEYS COLLECTED.

**S 1036**  
**BY SCHROEDER**  
AN ACT

RELATING TO BRIBERY AND CORRUPTION; AMENDING SECTION 18-1356, IDAHO CODE, TO PROHIBIT CERTAIN PECUNIARY BENEFITS TO POSTSECONDARY

EDUCATION ADMINISTRATORS AND ENTITIES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1037**  
**BY SCHROEDER**  
AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4316, IDAHO CODE, TO PROVIDE FOR THE COLLEGE OF LAW SCHOLARSHIP PROGRAM.

**S 1038**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE MOTORCYCLE TRAINING PROGRAM; AMENDING SECTION 33-4901, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AMENDING SECTION 33-4902, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY AND TO REPLACE THE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH THE PRESIDENT OF IDAHO STATE UNIVERSITY; AMENDING SECTION 33-4903, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AMENDING SECTION 33-4904, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AMENDING SECTION 33-4905, IDAHO CODE, TO REPLACE THE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH THE PRESIDENT OF IDAHO STATE UNIVERSITY; AMENDING SECTION 33-4906, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AMENDING SECTION 49-304, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AMENDING SECTION 49-313, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY; AND AMENDING SECTION 49-314, IDAHO CODE, TO REPLACE THE DEPARTMENT OF EDUCATION WITH IDAHO STATE UNIVERSITY AND TO MAKE A TECHNICAL CORRECTION.

**S 1039**  
**BY LOCAL GOVERNMENT AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INVESTMENT OF IDLE MONEYS; AMENDING SECTION 67-1210, IDAHO CODE, TO PROVIDE THAT THE STATE TREASURER MAY INVEST IDLE MONEYS IN TIME DEPOSIT ACCOUNTS INVESTED IN ACCORDANCE WITH CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**S 1040**  
**BY WERK, KELLY, BOCK, LEFAVOUR, SAGNESS, BILYEU, THORSON**  
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST ONE HUNDRED FIFTY THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD,

WHICHEVER IS THE LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO REVISE DATES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1027](#), [S 1028](#), [S 1029](#), [S 1030](#), [S 1031](#), [S 1032](#), [S 1033](#), [S 1034](#), [S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), [S 1039](#), and [S 1040](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 6](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Monday, January 26, 2009.

BRAD LITTLE, President

Attest: RUSTI HORTON, Assistant Secretary of the Senate